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Acting Under Authority Conferred By 28 U.S.C. § 515

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 18-CR-00258 EJD
)	
Plaintiff,)	DECLARATION OF JOHN BOSTIC IN
)	OPPOSITION TO DEFENDANTS' MOTION TO
v.)	COMPEL
)	
ELIZABETH HOLMES and RAMESH)	Date: June 28, 2019
"SUNNY" BALWANI,)	Time: 10:00 a.m.
)	Court: Hon Edward J. Davila
Defendants.)	

I, JOHN BOSTIC, declare as follows:

1. I am an Assistant United States Attorney, representing the United States in the above-captioned matter. I am admitted to practice before this Court. I hereby attest to the following facts.

2. Attached hereto as **Exhibit A** is a true a correct copy of a May 9, 2019 letter sent by government counsel to FDA in connection with this case.

3. Attached hereto as **Exhibit B** is a true a correct copy of a May 9, 2019 letter sent by government counsel to CMS in connection with this case.

5. Attached hereto as **Exhibit D** is a true a correct copy of a June 10, 2019 letter received by government counsel from CMS in response to the document requests in Exhibit B.

6. Attached hereto as **Exhibit E** is a true a correct copy of a June 3, 2019 Declaration from a representative of California Department of Public Health provided to the government along with CMS's responsive letter, Exhibit D.

7. Attached hereto as **Exhibit F** is a true a correct copy of a June 11, 2019 letter from the Theranos assignee providing a waiver authorizing FDA and CMS to produce confidential Theranos information in the SEC civil case.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Executed this 12th day of June, 2019.

/S/
JOHN C. BOSTIC
Assistant United States Attorney